

EXHIBIT 1

Theodore H. Frank (SBN 196332)
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Attorneys for Objector Benjamin Faber

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANA GOLD, et al.,

Plaintiffs,

v.

LUMBER LIQUIDATORS, INC.,

Defendant.

BENJAMIN FABER,

Objector.

Case No. 14-cv-05373-RS

Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Floor
Date: September 24, 2020
Time: 1:30 P.M.

DECLARATION OF BENJAMIN FABER

1 I, Benjamin Faber, declare as follows:

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3 1. I have personal knowledge of the facts set forth herein and, if called as a witness,
4 could and would testify competently thereto.

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6 2. My full name is Benjamin Sidney Faber. My current address is 1001 Cherry St.
7 Suite 104, Columbia, MO 65201. My phone number is 573-777-9770. My email address is
8 ben@comocriminaldefense.com.

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10 3. In 2018, I purchased Morning Star Strand Bamboo flooring for personal, family or
11 household use. I am not a present or former affiliate, a director, or an officer of Lumber
12 Liquidators. I am a member of the presiding judge's immediate family or judicial staff. I have
13 not previously entered into a release or settlement with Lumber Liquidators relating to the
14 flooring during the class period. I did not purchase the flooring for resale. I understand myself
15 to be a class member in this case. I have not requested to be excluded from the class nor do I
16 have any intention of doing so.

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18 4. In the first quarter of 2020, I received written notice of the settlement from the
19 settlement administrator. I am unable to locate the notice and do not know my CPT ID.

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21 5. Because my flooring experienced warping, cupping, buckling, scratching, and
22 deteriorating or gapping, I believe I am eligible to make a compensation level two claim.

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24 6. I intend to submit a level two claim for a settlement award via the settlement
25 website.

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27 7. I intend to appear through my counsel Ted Frank at the fairness hearing
28 currently scheduled for September 24, 2020. His name, address, telephone number, and email
29 address appear in the caption of this document. Neither Mr. Frank, nor any of the other CCAF
30 attorneys representing me in this matter, have ever previously represented me in any other
31 legal matter.

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33 8. I bring this objection in good faith. I have no intention of settling this objection
34 for any sort of side payment. Unlike many objectors who attempt or threaten to disrupt a
35 settlement unless plaintiffs' attorneys buy them off with a share of attorneys' fees, it is my
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1 understanding and belief that CCAF does not engage in *quid pro quo* settlements and will not
2 withdraw an objection or appeal in exchange for payment.
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4 9. Thus, if contrary to CCAF's practice and recommendation, I agree to withdraw
5 my objection or any subsequent appeal for a payment by plaintiffs' attorneys or the
6 defendant(s) paid to me or any person or entity related to me in any way without court
7 approval, I hereby irrevocably waive any and all defenses to a motion seeking disgorgement of
8 any and all funds paid in exchange for dismissing my objection or appeal.
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10 10. The specific grounds of my objection are identified in the memorandum to be
11 filed by my attorney contemporaneously with this declaration.
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13 11. I do not value the settlement vouchers as equivalent to cash relief of the same
14 nominal amount.
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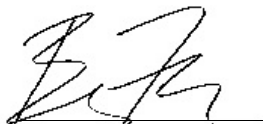
16 12. I have not objected to any other class action settlements in the three years prior
17 to May 20, 2020.
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19 13. My objection applies to the entire class.
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21 I declare under penalty of perjury under the laws of the United States that the foregoing is true
22 and correct.
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24 Executed on May 20, 2020, in Columbia, MO.
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Benjamin Faber